

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 5-1-03.

### I. DISPUTE

Whether there should be reimbursement for CPT codes: 97039FT and 97139-PH.

### II. FINDINGS & RATIONALE

DOS	CPT CODE	Billed	Paid	EOB Denial Code	MARS (Maximum Allowable Reimbursement)	Reference	Rationale
7-25-02 8-3-02 8-7-02 8-8-02 8-10-02 8-13-02 8-28-02 8-29-02 9-5-02 9-12-02 9-14-02	97039FT(2)	\$90.00	\$70.00	M	DOP	CPT Code Descriptor Rule 133.307(g)(3)(D)	EOBs support typical reimbursement of \$44.00 for each 15 minutes. Therefore, additional reimbursement of \$9.00 X 2 = \$18.00 X 11 dates = \$198.00 is recommended.
7-27-02 8-1-02 8-20-02 8-24-02 8-31-02 9-3-02	97039FT	\$45.00	\$35.00	M	DOP		EOBs support typical reimbursement of \$44.00 for each 15 minutes. Therefore, additional reimbursement of \$9.00 X 6 dates = \$54.00 is recommended.
7-25-02 7-27-02 8-1-02 8-3-02 8-7-02 8-8-02 8-13-02 8-20-02 8-22-02 8-24-02 8-28-02 8-31-02 9-3-02 9-5-02 9-12-02	97139PH	\$50.00	\$35.00	M	DOP		EOBs support typical reimbursement of \$50.00 for each 15 minutes. Therefore, additional reimbursement of \$15.00 X 15 dates = \$225.00 is recommended.
TOTAL							Requestor should be reimbursed an additional \$477.00.

### **III. DECISION**

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is** entitled to reimbursement for CPT codes ( 997039FT and 97139PH) in the amount of **\$477.00**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby ORDERS the Respondent to remit **\$477.00** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 23<sup>rd</sup> day of February 2005.

Elizabeth Pickle  
Medical Dispute Resolution Officer  
Medical Review Division